IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 05.01.2007

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice N.PAUL VASANTHAKUMAR

Writ Appeal No.2233 of 2002
& WAMP No.3804 of 2002

K.Arumugham ... Appellant/Petitioner

Vs.

1.The Secretary, Department of
Adi Dravidar & Tribal Welfare,
Fort St. George, Chennai-9.

2.President, District Vizhipunarvu Kuzhu-
cum Collector, Tiruvallur District,
Tiruvallur.

3.The Government of India,
Ministry of Defence,
Research and Development Organisation,
rep. by the Director,
Combat Vehicles Research and
Development Establishment,
Avadi, Chennai-54. Respondents/Respondents

Writ appeal filed under Clause 15 of the Letters Patent against the order dated 27.07.2001 made in W.P.No.2276 of 2001 to call for the records of the Respondent 1 and 2 vide order G.O.2(D) No.18 dated 01.04.1997 and Na.Ka.No.7489/97 J3 dated 23.10.2000 and to quash the same.

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For Appellant : Mr.R.Malaichamy
For 1st respondent : Mr.K.Elango
Special Government Pleader
For 2nd respondent : Mr.P.Wilson,
Assistant Solicitor General
For 3rd respondent : Ms.Indra

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

The present appeal is against the order dated 27.07.2001 made in W.P.No.2276 of 2001, wherein the appellant is the petitioner, in and by which, the learned single Judge, after finding no merit in the writ petition, has dismissed the same.

2. Heard the learned counsel appearing for the appellant as well as the respondents.

3. In view of the Division Bench decision of this Court reported in 2006 1 Law Weekly 492 (V.VALLINAYAGAM VS. THE GOVERNMENT OF TAMIL NADU AND FOUR OTHERS), we are of the view that it is unnecessary to refer the factual matrix as stated by the appellant/petitioner as well as the respondents. Following the said decision and in view of the fact that the Government has constituted a fresh District Level Committee consisting of three members, which is in accordance with law laid down in MADHURI PATIL VS. ADDITIONAL COMMISSIONER, TRIBAL DEVELOPMENT (1997) 5 SCC 437, we are of the view that ends of justice would be met by remanding the matter to the concerned District Level Committee. The District Level Committee consisting of three members shall consider and dispose of the issue within a period of three months from the date of receipt of a copy of this order. The appellant herein is directed to co-operate with the Committee. It is further made clear that if the appellant wants to drag on the proceedings, after expiry of the prescribed period, the Committee is free to take a decision one way or other with the available materials.

4. The writ appeal is disposed of on the above terms. No costs. Consequently, WAMP No.3804 of 2002 is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

raa

To

1.The Secretary, Department of
Adi Dravidar & Tribal Welfare,
Fort St. George, Chennai-9.

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2.President, District Vizhipunarvu Kuzhu-
cum Collector, Tiruvallur District,
Tiruvallur.

3.The Director,Government of India,
Ministry of Defence,
Research and Development Organisation,
Combat Vehicles Research and
Development Establishment,
Avadi, Chennai-54.

1 cc To Mr.R.Malaichamy, Advocate, SR.1024.
1 cc To The Government Pleader, SR.1148.
1 cc To Mr.P.Wilson, Advocate, SR.1213.

W.A.No.2233 of 2002

PPV(CO)
RVL 18.01.2007

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